



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,507	09/21/2006	Peter Currie	36180/100472	1351
23644	7590	02/11/2009	EXAMINER	
BARNES & THORNBURG LLP			SAJADI, FEREYDOUN GHORB	
P.O. BOX 2786			ART UNIT	PAPER NUMBER
CHICAGO, IL 60690-2786			1633	
NOTIFICATION DATE		DELIVERY MODE		
02/11/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patent-ch@btlaw.com



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10549507	9/21/2006	CURRIE ET AL.	36180/100472
<b>EXAMINER</b>			
FEREYDOUN G. SAJJADI			
<b>ART UNIT</b>		<b>PAPER</b>	
1633		20090205	

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

OFFICE COMMUNICATION  
Response to Amendment

The response dated June 27, 2008, to the restriction requirement of May 29, 2008 is considered non-responsive, because while Applicants have elected Group I (claims 16-21), they have not responded to the requirement for the election of species as set forth on page 3 of the office action dated May 29 2008; specifically, having failed to elect any of the mutations recited in claims 17 and 18, muscular dystrophy or cardiomyopathy, etc. Applicant should further indicate the claims that the elected species read on. The reply is therefore not fully responsive (See 37CFR 1.111).

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fereydoun G. Sajjadi whose telephone number is (571) 272-3311. The examiner can normally be reached Monday through Friday, between 6:30 am-3:30 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached on (571) 272-079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). For all other customer support, please call the USPTO Call Center (UCC) at (800) 786-9199.

/Fereydoun G Sajjadi/  
Examiner, Art Unit 1633